

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

JAMIE VINSON, Administrator of the
ESTATE OF PHILEMON S. VINSON,

Plaintiff,

v.

WELLPATH, LLC,

SHARON RICE,

CASE NO.: 2:24cv560

ANNE PURKERSON,

CINCLAIR HOWARD,

MELISSA PEPPENHORST,

WAYNE HANDLEY,

and

SHERIFF JOSEPH P. BARON,

Defendants.

DEFENDANT ANNE PURKERSON'S RULE 12(B)(6) MOTION TO DISMISS

COMES NOW Anne Purkerson (hereinafter, "Ms. Purkerson"), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, states the following Motion to Dismiss Count III, in its entirety from the Complaint filed by Jamie Vinson as Administrator of the Estate of Philemon S. Vinson (hereinafter, "Mr. Vinson") on the grounds that Count III, Wrongful Death – Gross Negligence, fails to state a claim for which relief can be granted as set forth more fully in the accompanying Memorandum in Support.

WHEREFORE, for the reasons stated in the accompanying Memorandum in Support, herein, and in any oral argument permitted by the Court, Anne Purkerson respectfully requests that this Honorable Court enter an Order granting her Partial Motion to Dismiss and dismiss Count III of Plaintiff's First Amended Complaint, and granting such further relief as this Court deems equitable, just and proper.

Date: 09/20/2024

ANNE PURKERSON

By: /s/ Erica Piotrowski
Of Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of September 2024, a true copy of the foregoing was filed and served via CM/ECF system to all parties receiving notice in the above-captioned case.

/s/ Erica Piotrowski
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